

1 NOT FOR PUBLICATION  
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6 **IN THE UNITED STATES DISTRICT COURT**  
7 **FOR THE DISTRICT OF ARIZONA**  
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9 Gile Nichols, Jr.,

10 Petitioner,

11 v.

12 Attorney General of the State of Arizona, et  
13 al.,

14 Respondents.

No. CV-19-04761-PHX-SRB

**ORDER**

15 Petitioner, Gile Nichols, Jr., filed his Petition for Writ of Habeas Corpus pursuant  
16 to 28 U.S.C. § 2254 on July 16, 2019. Respondents filed a Limited Response to Petitioner's  
17 Petition for Writ of Habeas Corpus on October 2, 2019. No reply was filed. On November  
18 15, 2019, the Magistrate Judge issued her Report and Recommendation recommending that  
19 the Petition dismissed with prejudice because it was untimely.

20 In her Report and Recommendation the Magistrate Judge advised the parties that  
21 they had fourteen days from the date of service of a copy of the Report and Recommendation  
22 within which to file specific written objections with the Court. The time to file such  
23 objections has expired and no objections to the Report and Recommendation have been filed.

24 The Court finds itself in agreement with the Report and Recommendation of the  
25 Magistrate Judge.

26 **IT IS ORDERED** adopting the Report and Recommendation of the Magistrate  
27 Judge as the order of this Court. (Doc. 9)


28 **IT IS FURTHER ORDERED** dismissing the Petition for Writ of Habeas Corpus

1 with prejudice.

2 **IT IS FURTHER ORDERED** denying any Certificate of Appealability and leave  
3 to proceed in *forma pauperis* on appeal because the dismissal of the Petition is justified by  
4 a plain procedural bar.

5 **IT IS FURTHER ORDERED** directing the Clerk to enter judgment accordingly.

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7 Dated this 10th day of December, 2019.

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13 Susan R. Bolton  
14 United States District Judge  
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